

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW JERSEY

NOVARTIS CORPORATION, NOVARTIS  
PHARMACEUTICALS CORPORATION &  
NOVARTIS INTERNATIONAL AG  
("NOVARTIS")

Plaintiff,

- v. -

PAR PHARMACEUTICAL COMPANIES, INC.,  
PAR PHARMACEUTICAL, INC. & KALI  
LABORATORIES, INC. ("PAR")

Defendant.

Civil Action No. 06-4788/  
06-6283 (HAA) (ES)

STIPULATION OF DISMISSAL

Plaintiff and Counterclaim-Defendant Novartis and Defendant and Counterclaim-Plaintiff Par hereby stipulate by and through their respective attorneys that all claims, counterclaims and defenses in the above-entitled consolidated actions (the "Litigation") are dismissed without prejudice pursuant to Rule 41(a) of the Federal Rules of Civil Procedure without costs or attorneys' fees to either Party. In support thereof, the Parties now stipulate as follows.

1. All claims, counterclaims and defenses in this Litigation should be and hereby are dismissed without prejudice.
2. Each Party to this Litigation will bear its own costs and attorneys' fees.

SO STIPULATED:

Dated: ~~December~~, 2008  
February 6, 2009

<u>s/ David E. De Lorenzi</u>	<u>s/ Sean R. Kelly</u>
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Evan R. Chesler David R. Marriott David Greenwald <b>CRAVATH, SWAINE &amp; MOORE LLP</b> 825 Eighth Avenue New York, New York 10019 (212) 474-1000	<i>Attorneys for Defendants and Counterclaim-Plaintiffs Par Pharmaceutical Companies, Inc., Par Pharmaceutical, Inc., &amp; Kali Laboratories, Inc.</i>
<i>Attorneys for Plaintiffs and Counterclaim-Defendants Novartis Corporation, Novartis Pharmaceuticals Corporation, &amp; Novartis International AG</i>	

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*So Ordered:**Harold A. Ackerman*  
*u.s.d.g. 2/10/09*